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Fethi BenJemaa
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901 P Street
Sacramento, CA 95814

Dear Fethi,

Thank you for the opportunity to comment on the "Guidebook to Assist Agricultural Water Suppliers to Prepare a 2012 Agricultural Water Management Plan," dated September 10, 2012. An effective guidebook will provide assistance to agricultural water suppliers as they proceed with the tasks necessary to comply with the water management planning provisions of SBx7-7. In order for this to be a useful document for local water suppliers it must provide clear and concise guidance without creating an undue burden for water suppliers affected by the law.

We are pleased to provide the following constructive comments with the hope that they will help improve this guidebook as a planning tool for California's agricultural water suppliers. While there are some general comments, the majority of the following comments are listed by page number in sequential order and where possible, include suggested recommendations or text changes to assist in the editing process.

Draft Guidebook, General Observations

Throughout the guidebook, "required" elements and "recommended" elements for water management plans need to be more clearly delineated. Recommendations are stated in the narrative but they are not denoted as recommendations in the tables. Despite efforts to note that the tables are "recommended", clarification of the requirements is necessary. We suggest having one set of tables with the defined statutory requirements of SBx7-7 and another set containing the added elements DWR would prefer be submitted by the water suppliers. This change would make the process much less confusing for a water supplier developing its water management plan.

Throughout the guidebook, efforts to provide water suppliers with additional guidance on statutory compliance have inadvertently altered language or endorsed a specific interpretation of the language of the statute. We suggest using the original language of the statute in these instances. For example, areas of the text which mention applicability for suppliers between 10,000 and 25,000 irrigated acres often misquote the legislation (10853) as denoting funding "availability," while the statute requires that funding be "provided" (see comments regarding page 14).

Draft Guidebook, Page 9

Clarity is needed regarding the correct date for completing corrective actions on measurement devices. Participants at SBx7-7 workshops in Bakersfield, Fresno, Modesto and Orland were told that it is three years from the date of the rule, which would be July 31, 2015, not December 31, 2015. Clarification is necessary to stipulate whether the three-year clock for completing corrective actions began on July 31 with the Measurement Regulation or on December 31 with a submitted water management plan.

Draft Guidebook, Page 14 and beyond

SBx7-7 Section 10853 states that "No agricultural water supplier that provides water to less than 25,000 irrigated acres, excluding recycled water, shall be required to implement the requirements of this part or Part 2.55 (commencing with Section 10608) unless sufficient funding has specifically been provided to that water supplier for these purposes."

In a number of instances the text of the Guidebook indicates that 10853 is applicable if funding is "available." Those references should be changed to reflect that actual text of the law.

Tables can be a helpful tool to include in the Guidebook and can provide water suppliers with a sort of template to follow as they proceed with the development of a water management plan, however 51 tables seems to be somewhat daunting, considering the requirements of the law are considerably less than is currently requested.

We recommend separating the tables as "required by law" and "optional." Where a table or set of table fields meets a specific requirement of the law, it would be helpful to indicate the section number of the law at the top of the table, or table fields so the water supplier can more easily track their progress toward compliance.

If the Department is committed to keeping these tables in their current form, it is important to identify which fields are required under law, and suggest that the Department put the law's section number on each applicable table field.

Draft Guidebook, Page 32

AB 1404 requires monthly or bi-monthly reporting of water usage data. The report form circulated by the Department provides a simple method for reporting this data. Requesting that the same data be broken up into as many as seven different categories exceeds the requirements of AB 1404 and should be listed as an "optional" requirement.

Draft Guidebook, Page 33

Section 10826 (b) (5) asks for water use data in six different categories including agricultural, environmental, recreational and others. The inclusion of water use data by crop or acreage, irrigation system type or cropping systems are impractical for water suppliers completing a 2012 plan, as well as exceeding the requirements found in the section. Again, if this is a request by the Department it should clearly be identified as "optional" and if possible in a separate section. Section A could be shortened to a fashion similar to items B through H on pages 34-36.

Draft Guidebook, Page 36

Requesting data on the potential for increased energy costs and the relation to changes in water use practices requests water suppliers to engage in highly speculative efforts, and should not be a part of this Guidebook.

Draft Guidebook, Page 51, E

This is not a required element of a water management plan and should not be included or moved to a section for "optional" data requests.

Draft Guidebook, Page 53

This would be a good location for the vertical bar graph showing various acreage requirements for compliance with AB 1404 and SBx7-7.

Draft Guidebook, Page 54

Inclusion of stakeholder developed "success stories" creates a risk to the intended impartial nature of the Guidebook. The appearance of State endorsement of interest group-developed material that has not undergone a systematic vetting process has the potential to undermine the credibility of the final document..

Draft Guidebook, Pages 54, 85, E

For websites beyond the control of Department or other state technicians, we suggest identifying the organizational website, and providing guidance on what content the department is attempting to endorse or identify. Recommend omitting specific URL locations that may expire or be altered.

Draft Guidebook, Page 85, E

While interesting to note that the Water Code does not require DWR to develop any methods or standards on best professional practices, this common knowledge seems to serve no benefit, while adding unnecessary length to a guidebook whose length alone makes it an unwieldy tool for water suppliers to use. Recommend using simple citation of resources identified for those looking for more information. Suggest omitting all text of Section E prior to "As a technical assistance to water suppliers..."

Draft Guidebook, Page 128, Table 21

Crop data requests exceed the requirements of what is asked for in SBx7-7, AWMC MOU or USBR planning. This is an area that should be covered under a section devoted to "optional" data requests.

Draft Guidebook, Pages 140, 141, Table 40, 41

Monthly data by water supply type is another example where data requests exceed what is required in the law. This is an area that should be covered under a section devoted to "optional" data requests.

Thank you for the opportunity to comment. We are hopeful that the process to refine the Guidebook is productive and will result in a document useful and understandable to agricultural water suppliers working to complete their agricultural water management plans for 2012.

If you have any questions please feel free to contact me.

Sincerely,



Mike Wade
Executive Director

cc Manucher Alemi, Chief, Water Use and Efficiency Branch
 Kamyar Guivetchi, Manager, Statewide Integrated Water Management